IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4840 OF 2006

Panvel Properties Private Limited] .. Petitioner

Versus

1. The State of Maharashtra & 2 ors.] .. Respondents

Mr. Ajit B. Kale with Ashish Gaikwad for the petitioner.
Mrs. S.S. Bhande, AGP, for the respondents.

CORAM: S.B. MHASE, &
R.S. MOHITE, JJ.

DATED: 09TH APRIL, 2007

P.C. :

. Heard the learned counsel for the petitioner.

2. The grievance of the petitioner is that Section 5(A) enquiry under the Land Acquisition Act was not offered to the petitioner. Petitioner is admittedly a purchaser of the property. Notification under Section 4 was issued on 3rd March, 2005. As against that, the petitioner has purchased the property on 12th April, 2005 i.e. after publication of the Notification under Section 4 of the Land Acquisition Act, which prohibits transfer of the property since the property is being acquired for public purpose.

3. Under these circumstances, the petitioner is not entitled for hearing under Section 5(A) of the Land Acquisition Act. Petition deserves to be rejected and it is, accordingly, rejected.

Sd/-
[R.S. MOHITE, J.]

Sd/-
[S.B. MHASE, J.]